

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation**

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88

**This document pertains to:**

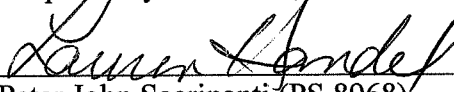
***City of New York v. Amerada Hess Corp. et al.,*  
Case No. NY-04-CV-03417**

**DEFENDANTS' JOINT MOTION *IN LIMINE* TO EXCLUDE  
NON-EXPERT TESTIMONY OF KATHLEEN BURNS AND MARCEL MOREAU**

PLEASE TAKE NOTICE that on May 11, 2009, at the United States Courthouse at 500 Pearl Street, New York, New York, Defendants<sup>1</sup> to this action hereby move before the Honorable Shira A. Scheindlin, United States District Judge, at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York for an Order excluding non-expert testimony of Kathleen Burns and Marcel Moreau. Defendants' motion is based upon its Memorandum of Law filed concurrently herewith, and any reply brief or oral argument that may be submitted or made by Defendants in connection with this Motion.

Dated: New York, New York  
May 11, 2009

Respectfully submitted,



Peter John Sacripanti (PS 8968)  
James A. Pardo (JP 9018)  
Stephen J. Riccardulli (SR 7784)  
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*Attorneys for the Exxon Mobil Corporation  
Defendants and on behalf of all remaining  
Defendants*

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<sup>1</sup> This motion is filed on behalf of Exxon Mobil Corporation; ExxonMobil Oil Corporation; Mobil Corporation; Lyondell Chemical Company; Equistar Chemicals, LP; Crown Central LLC; and Total Petrochemicals USA, Inc. (collectively "Defendants").